IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.1252 OF 2005

Mr.P.L. Naik for the Petitioner.

Mr.N.R.Bubna for the Respondent.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 17TH AUGUST,2005

P.C.:

Heard the learned Counsel for the Plaintiff. The trial court has rejected the application filed by the Petitioner for amendment in the plaint, because according to trial court the Plaintiff by the amendment was trying to withdraw the admission in the pleadings. The trial court has observed that no reasons have been disclosed and no explanation has been given in the application for amendment for withdrawing the admissions.

2. Though, I have heard the learned Counsel for the Petitioner at length, he is not in a position to explain as to for what reason admission given in the pleadings is being withdrawn by the Plaintiff. It is further to be seen here that the court had permitted the Plaintiff to amend his plaint on previous occasion and the present amendment was sought when the court was at the end of trial.

3. In this view of the matter, therefore, in my opinion, no fault can be found with the order passed by the trial court. Petition is, thus, rejected.

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